

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services – Treasuries and Accounts Department - Departmental proceedings initiated against Sri B. Narasimha Murthy, ATO O/o District Treasury, Visakhapatnam - Further action - Dropped – Orders -Issued

FINANCE (ADMN.I) DEPARTMENT

G.O.Rt.No.860

Dated 22.3.2011

Read the following:

1. Govt. Memo.No.4673-A/52/Admn.I.Vig./A1/2005 dt 3.10.2005.
2. DTA Proceedings No.K (I)2/16351/2005 dated 27.9.2005
3. Representation of the individual dated 24.5.2005.
4. DTA Proceedings No.K (I)2/16351/2005 dated 10.11.2006
5. DTA Proceedings No.K (I)2/16351/2005 dated 9.12.2010.
6. Representation of the individual dated 31.12.2010.

ORDER:

On complaint of Smt. D. Srijaya w/o Raju, a criminal case was registered in the IV Town Police Station, Visakhapatnam against Sri B. Narasimha Murthy, ATO, District Treasury Visakhapatnam on the allegation that he molested her. The print media has published the news widely. In the reference 1st read above, Govt. have issued instructions to DTA to inquire into the matter and furnish a comprehensive report, besides taking immediate departmental action against Sri B. Narasimha Murthy, ATO, District Treasury, Visakhapatnam.

2. In the reference 2nd read above, the DTA suspended Sri B. Narasimha Murthy, ATO, District Treasury, Visakhapatnam and ordered to continue him under suspension until the termination of all proceedings relating to the Criminal case No.381/2005 U/s 376 read with 109 of IPC which was registered by the Station House Officer IV town Police Station, Visakhapatnam regarding molestation of a woman. Sri K. Jagan Mohan Goud, Deputy Director, District Treasury, Medak has inquired into the allegations and submitted a report. Based on the report, the DTA has framed the following charge against the accused officer.

“that the said Sri B. Narasimha Murthy, ATO (U/S) while working as ATO, District Treasury, Visakhapatnam by getting himself implicated in criminal proceedings vide Cr.No.381/2005 of IV town Police Station, Visakhapatnam on the allegations of

molesting a married woman and resorting to misappropriation of funds of Rotary Club of Visakhapatnam Satellite city has committed grave misconduct in as much as he failed to exhibit the standard of conduct he is supposed to do in his private life and thereby behaved in a manner unbecoming of Government servant”.

3. In the reference 3rd read above, the charged officer Sri B. Narasimha Murthy, ATO, (Retd.) O/o District Treasury, Visakhapatnam in his written statement of defence has stated that he did not committed any criminal misconduct of molesting a married women. He was falsely implicated in the criminal case in Crime No.381/2005 dated 24.9.2005 under section 376 IPC without there being any iota of truth and devoid of substantial evidence to prove his delinquency in the alleged criminal misconduct. He was contesting the above imputation of criminal offence in the said Crime in the Criminal court when called for during the course of trail.

4. Regarding the other aspect of allegation that resorting to misappropriation of funds of a Rotary club of Visakhapatnam Satellite city, he stated that the allegation was not based on facts. After he took charge as president, Rotary Club, he have incurred expenditure to an extent of Rs.63,810/- from the club funds which was supported by relevant vouchers and the expenditure was met in connection with the functions organized our Rotary club and every pie utilized and spent has got the defacto approval of the members. Thus the allegation levelled against him was totally false. Finally he submits that he was not guilty of any of the articles of charge. He has requested to stay the departmental proceedings till the outcome of the criminal proceedings in the interest of justice and circumstances of the case.

5. In the reference 4th read above the DTA being disciplinary authority appointed Sri V. Sudhakar, Deputy Director, District Treasury, Guntur as Inquiring Authority to conduct regular inquiry into the charge framed against the retired Charged Officer and Sri K. Paleswara Rao, Deputy Director as Presenting Officer respectively.

6. In the reference 5th read above the DTA has forwarded the inquiry report of Sri V. Sudhakar, Deputy Director, District Treasury, Guntur vide his letter Rc.DD.Spl./1-1-2005 dated 24.4.2010 wherein the Inquiry Officer has stated that the charged officer has got himself implicated in criminal proceeding vide Cr.No.381/2005 of IV Town Police Station, Visakhapatnam on the allegations of molesting married woman and resorting to temporary misappropriation of funds of Greater Visakha Rotary club, Visakhapatnam, thereby committed grave misconduct in as much as he failed to exhibit the standard of conduct he has supposed to do in his private life and thereby behaved in a manner unbecoming of Government servant as per Rule 3 of A.P. Conduct Rules 1964. Hence,

the charge framed against Sri B. Narasimha Murthy, ATO (Retd) is held proved.

7. In the reference 6th read above the DTA has furnished the explanation of the Charged Officer, B. Narasimha Murthy, ATO (Retd.) The Charged Officer in his explanation stated that he had never misappropriated a single rupee from the funds of Rotary club and also furnished accounts of the Rotary Club authenticated by the governing body as per bye-laws of club. Though there was no single witness who deposed testimony against him in the court of disciplinary inquiry, the inquiry officer found the charge framed against him proved. Therefore he has requested to drop further disciplinary action and see that justice is done to him as he retired long back.

8. Government, after careful examination of the explanation of the Charged Officer with reference to the relevant material and circumstances, observed that the charged officer was acquitted from the charge of molestation of married woman in the Hon`ble Court of Sessions judge, Mahila Court, Visakhapatnam vide order dated 15.4.2010 in Session Case No.53/2007. Hence, the question of misbehaviour with a woman does not arise when he was acquitted by the competent court of Law. Further the departmental enquiry reveals that there was no misuse of funds of Rotary Club of Visakhapatnam.

9. Government therefore, hereby drop further action against the Charged Officer, B. Narasimha Murthy, ATO (Retd.) O/o the District Treasury , Visakhapatnam.

10. The Director of Treasuries and Accounts, A.P. Hyderabad shall take necessary further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

L.V.SUBRAHMANYAM
PRINCIPAL SECRETARY TO GOVERNMENT (FP)

To

The Individual through the Director of Treasuries and Accounts. A.P, Hyderabad.

The Director of Treasuries and Accounts , A.P, Hyderabad.

The A.P. vigilance Commission, Hyderabad

//forwarded::by order//

Section Officer.